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1 **TITLE II—PREPARING, TRAIN-**
2 **ING, AND RECRUITING QUALITY**
3 **TEACHERS**

4 **SEC. 201. TEACHER QUALITY TRAINING AND RECRUITING**
5 **FUND; TEACHER LIABILITY.**

6 Title II (20 U.S.C. 6601 et seq.) is amended to read
7 as follows:

8 **“TITLE II—PREPARING, TRAIN-**
9 **ING, AND RECRUITING QUAL-**
10 **ITY TEACHERS**

11 **“PART A—TEACHER QUALITY TRAINING AND**
12 **RECRUITING FUND**

13 **“SEC. 2001. PURPOSE.**

14 “The purpose of this part is to provide grants to
15 States and local educational agencies in order to assist
16 their efforts to increase student academic achievement
17 through such strategies as improving teacher quality and
18 increasing the number of highly qualified teachers in the
19 classroom.

20 **“Subpart 1—Grants to States to Prepare, Train, and**
21 **Recruit Qualified Teachers**

22 **“SEC. 2011. FORMULA GRANTS TO STATES.**

23 “(a) IN GENERAL.—In the case of each State that
24 in accordance with section 2013 submits to the Secretary
25 an application for a fiscal year, the Secretary shall make



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1 a grant for the year to the State for the uses specified
2 in section 2012. The grant shall consist of the allotment
3 determined for the State under subsection (b).

4 “(b) DETERMINATION OF AMOUNT OF ALLOT-
5 MENT.—

6 “(1) RESERVATION OF FUNDS.—From the
7 amount made available to carry out this subpart for
8 any fiscal year, the Secretary shall reserve—

9 “(A) $\frac{1}{2}$ of 1 percent for allotments for the
10 Virgin Islands, Guam, American Samoa, and
11 the Commonwealth of the Northern Mariana Is-
12 lands, to be distributed among these outlying
13 areas on the basis of their relative need, as de-
14 termined by the Secretary in accordance with
15 the purpose of this part; and

16 “(B) $\frac{1}{2}$ of 1 percent for the Secretary of
17 the Interior for programs under this part for
18 professional development activities for teachers,
19 other staff, and administrators in schools oper-
20 ated or funded by the Bureau of Indian Affairs.

21 “(2) STATE ALLOTMENTS.—

22 “(A) HOLD HARMLESS.—

23 “(i) IN GENERAL.—Subject to sub-
24 paragraph (B), from the total amount
25 made available to carry out this subpart



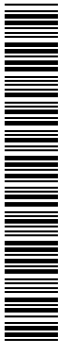
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1 for any fiscal year and not reserved under
2 paragraph (1), the Secretary shall allot to
3 each of the 50 States, the District of Co-
4 lumbia, and the Commonwealth of Puerto
5 Rico an amount equal to the total amount
6 that such State received for fiscal year
7 2001 under—

8 “(I) section 2202(b) of this Act
9 (as in effect on the day before the
10 date of the enactment of the No Child
11 Left Behind Act of 2001); and

12 “(II) section 306 of the Depart-
13 ment of Education Appropriations
14 Act, 2001 (as enacted into law by sec-
15 tion 1(a)(1) of Public Law 106-554).

16 “(ii) NONPARTICIPATING STATES.—In
17 the case of a State that did not receive any
18 funds for fiscal year 2001 under one or
19 both of the provisions referred to in sub-
20 clauses (I) and (II) of clause (i), the
21 amount allotted to the State under such
22 clause shall be the total amount that the
23 State would have received for fiscal year
24 2001 if it had elected to participate in all
25 of the programs for which it was eligible



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1 under each of the provisions referred to in
2 such subclauses.

3 “(iii) RATABLE REDUCTION.—If the
4 total amount made available to carry out
5 this subpart for any fiscal year and not re-
6 served under paragraph (1) is insufficient
7 to pay the full amounts that all States are
8 eligible to receive under clause (i) for any
9 fiscal year, the Secretary shall ratably re-
10 duce such amounts for such fiscal year.

11 “(B) ALLOTMENT OF ADDITIONAL
12 FUNDS.—

13 “(i) IN GENERAL.—Subject to clause
14 (ii), for any fiscal year for which the total
15 amount made available to carry out this
16 subpart and not reserved under paragraph
17 (1) exceeds the total amount made avail-
18 able to the 50 States, the District of Co-
19 lumbia, and the Commonwealth of Puerto
20 Rico for fiscal year 2001 under the au-
21 thorities described in subparagraph (A)(i),
22 the Secretary shall allot such excess
23 amount as follows:

24 “(I) 50 percent of such excess
25 amount shall be allotted among such

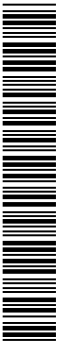


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1 States on the basis of their relative
2 populations of individuals aged 5
3 through 17, as determined by the Sec-
4 retary on the basis of the most recent
5 satisfactory data.

6 “(II) 50 percent of such excess
7 amount shall be allotted among such
8 States in proportion to the number of
9 children, aged 5 to 17, who reside
10 within the State from families with in-
11 comes below the poverty line (as de-
12 fined by the Office of Management
13 and Budget and revised annually in
14 accordance with section 673(2) of the
15 Community Services Block Grant Act
16 (42 U.S.C. 9902(2)) applicable to a
17 family of the size involved for the
18 most recent fiscal year for which sat-
19 isfactory data are available, compared
20 to the number of such individuals who
21 reside in all such States for that fiscal
22 year.

23 “(ii) EXCEPTION.—No State receiving
24 an allotment under clause (i) may receive



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1 less than 1/2 of 1 percent of the total ex-
2 cess amount allotted under clause (i).

3 “(3) REALLOTMENT.—If any State does not
4 apply for an allotment under this subsection for any
5 fiscal year, the Secretary shall reallocate such amount
6 to the remaining States in accordance with this sub-
7 section.

8 **“SEC. 2012. WITHIN-STATE ALLOCATIONS.**

9 “(a) USE OF FUNDS.—Each State receiving a grant
10 under this subpart shall use the funds provided under the
11 grant in accordance with this section to carry out activities
12 for the improvement of teaching and learning.

13 “(b) RESERVATION OF FUNDS.—

14 “(1) IN GENERAL.—A State that receives a
15 grant under this subpart may reserve not more than
16 5 percent of the amount of the funds provided under
17 the grant for—

18 “(A) one or more of the authorized State
19 activities described in subsection (e); and

20 “(B) planning and administration related
21 to carrying out such activities and making sub-
22 grants to local educational agencies under sub-
23 parts 2 and 3.

24 “(2) LIMITATION ON ADMINISTRATIVE COSTS.—

25 The amount reserved by a State under paragraph



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1 (1)(B) may not exceed 2 percent of the total amount
2 authorized to be reserved under paragraph (1).

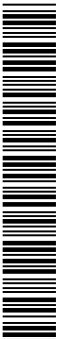
3 “(c) MATH AND SCIENCE PARTNERSHIPS.—The Sec-
4 retary may make a grant to a State under this subpart
5 only if the State agrees to distribute at least 15 percent
6 of the amount of the funds provided under the grant and
7 not reserved under subsection (b) through a competitive
8 subgrant process in accordance with subpart 2.

9 “(d) SUBGRANTS TO LOCAL EDUCATIONAL AGEN-
10 CIES.—

11 “(1) IN GENERAL.—The Secretary may make a
12 grant to a State under this subpart only if the State
13 agrees to expend at least 85 percent of the amount
14 of the funds provided under the grant and not re-
15 served under subsection (b) for the purpose of mak-
16 ing subgrants to local educational agencies under
17 subpart 3.

18 “(2) FORMULA FOR DISTRIBUTION OF SUB-
19 GRANTS UNDER SUBPART 3.—A State receiving a
20 grant under this subpart shall distribute the amount
21 described in paragraph (1) through a formula under
22 which—

23 “(A) 50 percent is allocated to local edu-
24 cational agencies in accordance with the relative
25 enrollment in public and private nonprofit ele-



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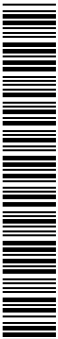
1 mentary and secondary schools within the
2 boundaries of such agencies; and

3 “(B) 50 percent is allocated to local edu-
4 cational agencies in proportion to the number of
5 children, aged 5 to 17, who reside within the
6 geographic area served by such agency from
7 families with incomes below the poverty line (as
8 defined by the Office of Management and
9 Budget and revised annually in accordance with
10 section 673(2) of the Community Services
11 Block Grant Act (42 U.S.C. 9902(2))) applica-
12 ble to a family of the size involved for the most
13 recent fiscal year for which satisfactory data
14 are available, compared to the number of such
15 individuals who reside in the geographic areas
16 served by all the local educational agencies in
17 the State for that fiscal year.

18 “(e) AUTHORIZED STATE ACTIVITIES.—The author-
19 ized State activities referred to in subsection (b)(1)(A) are
20 the following:

21 “(1) Reforming teacher certification, recertifi-
22 cation, or licensure requirements to ensure that—

23 “(A) teachers have the necessary teaching
24 skills and academic content knowledge in the



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1 subject areas in which they are assigned to
2 teach;

3 “(B) teacher certification, recertification,
4 or licensure requirements are aligned with the
5 State’s challenging State content standards;
6 and

7 “(C) teachers have the knowledge and
8 skills necessary to help students meet chal-
9 lenging State student achievement standards.

10 “(2) Carrying out programs that—

11 “(A) include support during the initial
12 teaching experience, such as mentoring pro-
13 grams that—

14 “(i) provide mentoring to beginning
15 teachers from veteran teachers with exper-
16 tise in the same subject matter that the
17 beginning teachers will be teaching;

18 “(ii) provide mentors time for activi-
19 ties such as coaching, observing, and as-
20 sisting the teachers who are mentored; and

21 “(iii) use standards or assessments
22 for guiding beginning teachers that are
23 consistent with the State’s student achieve-
24 ment standards and with the requirements



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1 for professional development activities
2 under section 2033; and

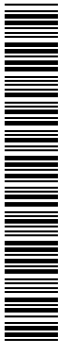
3 “(B) establish, expand, or improve alter-
4 native routes to State certification of teachers,
5 especially in the areas of mathematics and
6 science, for highly qualified individuals with a
7 baccalaureate degree, including mid-career pro-
8 fessionals from other occupations, paraprofes-
9 sionals, former military personnel, and recent
10 college or university graduates with records of
11 academic distinction who demonstrate the po-
12 tential to become highly effective teachers.

13 “(3) Developing and implementing effective
14 mechanisms to assist local educational agencies and
15 schools in effectively recruiting and retaining highly
16 qualified and effective teachers and principals.

17 “(4) Reforming tenure systems and imple-
18 menting teacher testing and other procedures to ex-
19 peditiously remove incompetent and ineffective
20 teachers from the classroom.

21 “(5) Developing enhanced performance systems
22 to measure the effectiveness of specific professional
23 development programs and strategies.

24 “(6) Providing technical assistance to local edu-
25 cational agencies consistent with this part.



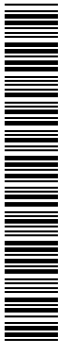
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1 “(7) Funding projects to promote reciprocity of
2 teacher certification or licensure between or among
3 States, except that no reciprocity agreement devel-
4 oped under this paragraph or developed using funds
5 provided under this part may lead to the weakening
6 of any State teaching certification or licensing re-
7 quirement.

8 “(8) Developing or assisting local educational
9 agencies or eligible partnerships (as defined in sec-
10 tion 2026) in the development and utilization of
11 proven, innovative strategies to deliver intensive pro-
12 fessional development programs that are both cost-
13 effective and easily accessible, such as through the
14 use of technology and distance learning.

15 “(9) Providing assistance to local educational
16 agencies and eligible partnerships (as defined in sec-
17 tion 2026) for the development and implementation
18 of innovative professional development programs
19 that train teachers to use technology to improve
20 teaching and learning and are consistent with the re-
21 quirements of section 2033.

22 “(10) Developing or assisting local educational
23 agencies in developing merit-based performance sys-
24 tems, rigorous assessments for teachers, and strate-
25 gies which provide differential and bonus pay for



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1 teachers in high-need subject areas such as reading,
2 math, and science and in high-poverty schools and
3 districts.

4 “(f) COORDINATION.—States receiving grants under
5 section 202 of the Higher Education Act of 1965 shall
6 coordinate the use of such funds with activities carried out
7 under this section.

8 **“SEC. 2013. APPLICATIONS BY STATES.**

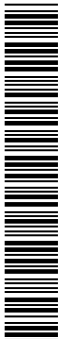
9 “(a) IN GENERAL.—To be eligible to receive a grant
10 under this subpart, a State shall submit an application
11 to the Secretary at such time, in such manner, and con-
12 taining such information as the Secretary may reasonably
13 require.

14 “(b) CONTENTS.—Each application under this sec-
15 tion shall include the following:

16 “(1) A description of how the State will ensure
17 that a local educational agency receiving a subgrant
18 under subpart 3 will comply with the requirements
19 of such subpart.

20 “(2) A plan to ensure all teachers within the
21 State are fully qualified not later than December 31,
22 2005.

23 “(3) A description of how the State will coordi-
24 nate professional development activities authorized
25 under this part with professional development activi-

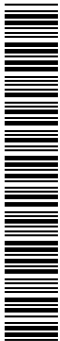


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1 ties provided under other Federal, State, and local
2 programs, including those authorized under title I,
3 part A of title V, part B of title V, part A of title
4 III, and (where applicable) the Individuals with Dis-
5 abilities Education Act and the Carl D. Perkins Vo-
6 cational and Technical Education Act. The applica-
7 tion shall also describe the comprehensive strategy
8 that the State will take as part of such coordination
9 effort, to ensure that teachers are trained in the uti-
10 lization of technology so that technology and its ap-
11 plications are effectively used in the classroom to im-
12 prove teaching and learning in all curriculum and
13 content areas, as appropriate.

14 “(4) A description of how the State will encour-
15 age the development of proven, innovative strategies
16 to deliver intensive professional development pro-
17 grams that are both cost-effective and easily acces-
18 sible, such as through the use of technology and dis-
19 tance learning.

20 “(5) A description of how the State will ensure
21 that local educational agencies will comply with the
22 requirements under section 2033, especially with re-
23 spect to ensuring the participation of teachers and
24 parents.



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1 “(c) APPLICATION APPROVAL.—A State application
2 submitted to the Secretary under this section shall be
3 deemed approved by the Secretary unless the Secretary
4 makes a written determination, within 90 days after re-
5 ceiving the application, that the application is in violation
6 of the provisions of this subpart. The Secretary shall not
7 finally disapprove a State application except after giving
8 the State notice and opportunity for a hearing.

9 **“Subpart 2—Math and Science Partnerships**

10 **“SEC. 2021. PURPOSE.**

11 “The purpose of this subpart is to improve the
12 achievement of students in the areas of mathematics and
13 science by encouraging States, institutions of higher edu-
14 cation, and local educational agencies to participate in
15 programs that—

16 “(1) focus on education and training of mathe-
17 matics and science teachers that improves teachers’
18 knowledge and skills and encourages intellectual
19 growth;

20 “(2) improve mathematics and science teaching
21 by encouraging institutions of higher education to
22 assume greater responsibility for improving mathe-
23 matics and science teacher education through the es-
24 tablishment of a comprehensive, integrated system of
25 recruiting, training, and advising such teachers; and



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1 “(3) bring mathematics and science teachers in
2 elementary and secondary schools together with sci-
3 entists, mathematicians, and engineers to increase
4 the subject matter knowledge of teachers and im-
5 prove their teaching skills through the use of sophis-
6 ticated laboratory equipment and work space, com-
7 puting facilities, libraries, and other resources that
8 institutions of higher education are better able to
9 provide than the schools.

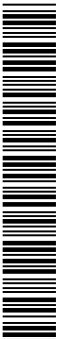
10 **“SEC. 2022. APPLICATION REQUIREMENTS.**

11 “(a) IN GENERAL.—An eligible partnership seeking
12 to receive a subgrant from a State under this subpart shall
13 submit an application to the State at such time, in such
14 manner, and accompanied by such information as the
15 State may require.

16 “(b) PARTNERSHIP APPLICATION CONTENTS.—Each
17 such application shall include—

18 “(1) an assessment of the teacher quality and
19 professional development of all the schools and agen-
20 cies participating in the eligible partnership with re-
21 spect to the teaching and learning of mathematics
22 and science;

23 “(2) a description of how the activities to be
24 carried out by the eligible partnership will be aligned
25 with State content standards in mathematics and



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1 science and with other educational reform activities
2 that promote student achievement in mathematics
3 and science;

4 “(3) a description of how the activities to be
5 carried out by the eligible partnership will be based
6 on a review of relevant research, and an explanation
7 of why the activities are expected to improve student
8 achievement and to strengthen the quality of mathe-
9 matics and science instructions; and

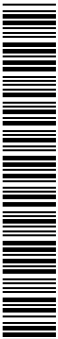
10 “(4) a description of—

11 “(A) how the eligible partnership will carry
12 out the activities described in section 2023(c);
13 and

14 “(B) the eligible partnership’s evaluation
15 and accountability plan described in section
16 2024.

17 **“SEC. 2023. MATH AND SCIENCE PARTNERSHIP SUB-**
18 **GRANTS.**

19 “(a) IN GENERAL.—From the amount described in
20 section 2012(c), the State educational agency, working in
21 conjunction with the State agency for higher education (if
22 such agencies are separate), shall award subgrants on a
23 competitive basis to eligible partnerships to enable such
24 partnerships to carry out activities described in subsection
25 (c).



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1 “(b) DURATION.—The State shall award subgrants
2 under this subpart for a period of not less than 2 and
3 not more than 5 years.

4 “(c) AUTHORIZED ACTIVITIES.—A recipient of funds
5 provided under this subpart may use the funds for the
6 following activities related to elementary or secondary
7 schools:

8 “(1) Establishing and operating mathematics
9 and science summer professional development work-
10 shops or institutes for elementary and secondary
11 teachers that—

12 “(A) shall—

13 “(i) directly relate to the curriculum
14 and content areas in which the teacher
15 provides instruction, and focus only sec-
16 ondarily on pedagogy;

17 “(ii) enhance the ability of a teacher
18 to understand and use the State’s content
19 standards for mathematics and science and
20 to select appropriate curricula;

21 “(iii) train teachers to use curricula
22 that are—

23 “(I) based on scientific research;

24 “(II) aligned with State content
25 standards; and



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1 “(III) object-centered, experi-
2 ment-oriented, and concept- and con-
3 tent-based; and

4 “(iv) provide supplemental assistance
5 and follow-up training during the school
6 year for summer institute graduates; and

7 “(B) may include—

8 “(i) programs that provide prospective
9 teachers and novice teachers opportunities
10 to work under the guidance of experienced
11 teachers and college faculty;

12 “(ii) instruction in the use of data
13 and assessments to inform and instruct
14 classroom practice;

15 “(iii) professional development activi-
16 ties, including supplemental and follow-up
17 activities, such as distance learning and ac-
18 tivities that train teachers to utilize tech-
19 nology in the classroom.

20 “(2) Recruiting to the teaching profession—

21 “(A) students studying mathematics, engi-
22 neering, and science; or

23 “(B) mathematicians, engineers, and sci-
24 entists currently working in the field.



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1 (3) Designing programs to bring teachers into
2 contact with working scientists to expand teacher
3 content knowledge of and research in science and
4 mathematics.

5 “(d) PRIORITY.—In awarding subgrants under this
6 subpart, States shall give priority to applications seeking
7 funding for the activity described in subsection (c)(1).

8 “(e) COORDINATION.—Partnerships receiving grants
9 under section 203 of the Higher Education Act of 1965
10 (20 U.S.C. 1023) shall coordinate the use of such funds
11 with any related activities carried out by such partnership
12 with funds made available under this subpart.

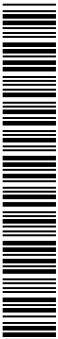
13 **“SEC. 2024. EVALUATION AND ACCOUNTABILITY PLAN.**

14 “(a) AL.—Each eligible partnership receiving a
15 subgrant under this subpart shall develop an evaluation
16 and accountability plan for activities assisted under this
17 subpart that includes rigorous performance objectives that
18 measure the impact of activities funded under this sub-
19 part.

20 “(b) CONTENTS.—The plan—

21 “(1) shall include measurable goals to increase
22 the number of mathematics and science teachers
23 who participate in content-based professional devel-
24 opment activities; and

25 “(2) may include objectives and measures for—



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1 “(A) improved student achievement on
2 State mathematics and science assessments;

3 “(B) increased participation by students in
4 advanced courses in mathematics and science;

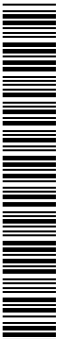
5 “(C) increased percentages of elementary
6 school teachers with academic majors or mi-
7 nors, or group majors or minors, in mathe-
8 matics or the sciences; and

9 “(D) increased percentages of secondary
10 school classes in mathematics and science
11 taught by teachers with academic majors in
12 mathematics and science, respectively.

13 **“SEC. 2025. REPORTS; REVOCATION OF SUBGRANTS.**

14 “(a) REPORTS.—Each eligible partnership receiving
15 a subgrant under this subpart annually shall report to the
16 State regarding the eligible partnership’s progress in
17 meeting the performance objectives described in section
18 2024.

19 “(b) REVOCATION.—If the State determines that an
20 eligible partnership that receives a subgrant under this
21 subpart for 5 years is not making substantial progress in
22 meeting the performance objectives described in section
23 2024 by the end of the third year of the subgrant, the
24 subgrant payments shall not be made for the fourth and
25 fifth years.



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1 **“SEC. 2026. DEFINITIONS.**2 **“In this subpart:**3 **“(1) ELIGIBLE PARTNERSHIP.—**The term ‘eligi-
4 ble partnership’ means a partnership that—5 **“(A) shall include—**6 **“(i) a State educational agency;**7 **“(ii) a mathematics or science depart-**
8 ment of a private independent institution
9 of higher education or a State-supported
10 public institution of higher education; and11 **“(iii) a high need local educational**
12 agency; and13 **“(B) may include—**14 **“(i) another institution of higher edu-**
15 cation or the teacher training department
16 of such an institution;17 **“(ii) additional local educational agen-**
18 cies, public charter schools, public or pri-
19 vate elementary or secondary schools, or a
20 consortium of such schools;21 **“(iii) a business; or**22 **“(iv) a nonprofit organization of dem-**
23 onstrated effectiveness, including a mu-
24 seum or research institution.25 **“(2) SUMMER PROFESSIONAL DEVELOPMENT**
26 WORKSHOP OR INSTITUTE.—The term ‘summer pro-

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1 professional development workshop or institute' means
2 a workshop or institute that—

3 “(A) is conducted during a period of not
4 less than 2 weeks;

5 “(B) includes as a component a program
6 that provides direct interaction between stu-
7 dents and faculty; and

8 “(C) provides for follow-up training during
9 the academic year that shall be conducted in
10 the classroom for a period of not less than 3
11 consecutive or nonconsecutive days, except
12 that—

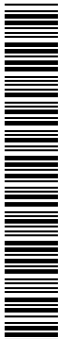
13 “(i) if the workshop or institute is
14 conducted during a two-week period, the
15 follow-up training shall be conducted for a
16 period of at least 4 days; and

17 “(ii) if the follow-up training is for
18 teachers in rural school districts, it may be
19 conducted through distance learning.

20 **“Subpart 3—Subgrants to Local Educational**
21 **Agencies**

22 **“SEC. 2031. LOCAL USE OF FUNDS.**

23 “Each local educational agency that receives a
24 subgrant under this subpart may use the subgrant to
25 carry out the following activities:



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1 “(1) Initiatives to assist in recruiting and hir-
2 ing fully qualified teachers who will be assigned
3 teaching positions within their field, including—

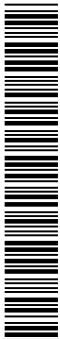
4 “(A) providing signing bonuses or other fi-
5 nancial incentives, such as differential pay, for
6 teachers to teach in academic subject areas in
7 which there exists a shortage of such fully
8 qualified teachers within a school or the local
9 educational agency;

10 “(B) establishing programs that—

11 “(i) recruit professionals from other
12 fields and provide such professionals with
13 alternative routes to teacher certification;
14 and

15 “(ii) provide increased opportunities
16 for minorities, individuals with disabilities,
17 and other individuals underrepresented in
18 the teaching profession; and

19 “(C) implementing hiring policies that en-
20 sure comprehensive recruitment efforts as a
21 way to expand the applicant pool, such as
22 through identifying teachers certified through
23 alternative routes, coupled with a system of in-
24 tensive screening designed to hire the most
25 qualified applicant.



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1 “(2) Initiatives to promote retention of highly
2 qualified teachers and principals, particularly within
3 elementary and secondary schools with a high per-
4 centage of low-achieving students, including pro-
5 grams that provide—

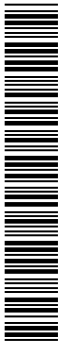
6 “(A) mentoring to newly hired teachers,
7 such as from master teachers;

8 “(B) incentives, including financial incen-
9 tives, to retain teachers who have a record of
10 success in helping low-achieving students im-
11 prove their academic success; or

12 “(C) incentives, including financial incen-
13 tives, to principals who have a record of improv-
14 ing the performance of all students, but par-
15 ticularly students from economically disadvan-
16 taged families and students from racial and
17 ethnic minority groups.

18 “(3) Programs and activities that are designed
19 to improve the quality of the teacher force, such
20 as—

21 “(A) innovative professional development
22 programs (which may be through partnerships
23 including institutions of higher education), in-
24 cluding programs that train teachers and prin-
25 cipals to utilize technology to improve teaching



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1 and learning, are consistent with the require-
2 ments of section 2033, and are coordinated
3 with part B of title V;

4 “(B) development and utilization of prov-
5 en, cost-effective strategies for the implementa-
6 tion of professional development activities, such
7 as through the utilization of technology and dis-
8 tance learning;

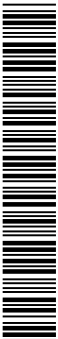
9 “(C) tenure reform;

10 “(D) merit pay;

11 “(E) testing of elementary and secondary
12 school teachers in the subject areas taught by
13 such teachers;

14 “(F) professional development programs
15 that provide instruction in how to teach chil-
16 dren with different learning styles, particularly
17 children with disabilities and children with spe-
18 cial learning needs (including those who are
19 gifted and talented);

20 “(G) professional development programs
21 that provide instruction in how best to dis-
22 cipline children in the classroom and identify
23 early and appropriate interventions to help chil-
24 dren described in subparagraph (F) learn; and



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1 “(H) professional development programs
2 that provide instruction in how to teach char-
3 acter education in a manner that—

4 “(i) reflects the values of parents,
5 teachers, and local communities; and

6 “(ii) incorporates elements of good
7 character, including honesty, citizenship,
8 courage, justice, respect, personal responsi-
9 bility, and trustworthiness.

10 “(4) Teacher opportunity payments, consistent
11 with section 2034.

12 “(5) Professional activities designed to improve
13 the quality of principals.

14 “(6) Hiring fully qualified teachers, including
15 teachers who become fully qualified through State
16 and local alternative routes, and special education
17 teachers, in order to reduce class size.

18 **“SEC. 2032. LOCAL APPLICATIONS.**

19 “(a) IN GENERAL.—A local educational agency seek-
20 ing to receive a subgrant from a State under this subpart
21 shall submit an application to the State—

22 “(1) at such time as the State shall require;
23 and

24 “(2) which is coordinated with other programs
25 under this Act, or other Acts, as appropriate.



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1 “(b) LOCAL APPLICATION CONTENTS.—The local ap-
2 plication described in subsection (a), shall include, at a
3 minimum, the following:

4 “(1) An assurance that the local educational
5 agency will target funds to schools within the juris-
6 diction of the local educational agency that—

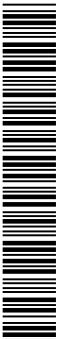
7 “(A) have the lowest proportion of fully
8 qualified teachers;

9 “(B) have the largest average class size; or

10 “(C) are identified for school improvement
11 under section 1116(b).

12 “(2) A description of how the local educational
13 agency will coordinate professional development ac-
14 tivities authorized under this subpart with profes-
15 sional development activities provided through other
16 Federal, State, and local programs, including those
17 authorized under title I, part A of title V, part B
18 of title V, part A of title III, and (where applicable)
19 the Individuals with Disabilities Education Act and
20 the Carl D. Perkins Vocational and Technical Edu-
21 cation Act.

22 “(3) A description of how the local educational
23 agency will integrate funds under this subpart with
24 funds received under part B of title V that are used



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1 for professional development to train teachers to uti-
2 lize technology to improve teaching and learning.

3 “(4) A description of how the local educational
4 agency has collaborated with teachers, principals,
5 parents, and administrators in the preparation of
6 the application.

7 **“SEC. 2033. PROFESSIONAL DEVELOPMENT FOR TEACHERS.**

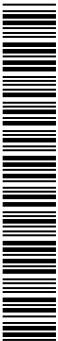
8 “(a) REQUIREMENTS FOR PROFESSIONAL DEVELOP-
9 MENT ACTIVITIES.—Professional development activities
10 under this subpart shall—

11 “(1) support professional development activities
12 that give teachers, principals, and administrators the
13 knowledge and skills to provide students with the op-
14 portunity to meet challenging State content stand-
15 ards and student achievement standards;

16 “(2) support the recruiting, hiring, and training
17 of fully qualified teachers, including teachers fully
18 qualified through State and local alternative routes;

19 “(3) advance teacher understanding of effective
20 instructional strategies based on scientifically based
21 research for improving student achievement, at a
22 minimum, in reading or language arts and mathe-
23 matics;

24 “(4) be directly related to the curriculum and
25 content areas in which the teacher provides instruc-



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1 tion, except this does not apply to activities that in-
2 struct in methods of disciplining children;

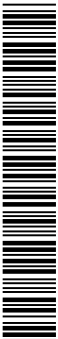
3 “(5) be designed to enhance the ability of a
4 teacher to understand and use the State’s standards
5 for the subject area in which the teacher provides in-
6 struction;

7 “(6) be tied to scientifically based research
8 demonstrating the effectiveness of such professional
9 development activities or programs in increasing stu-
10 dent achievement or substantially increasing the
11 knowledge and teaching skills of teachers;

12 “(7) be of sufficient intensity and duration (not
13 to include 1-day or short-term workshops and con-
14 ferences) to have a positive and lasting impact on
15 the teacher’s performance in the classroom;

16 “(8) be developed with extensive participation
17 of teachers, principals, parents, and administrators
18 of schools to be served under this part;

19 “(9) to the extent appropriate, provide training
20 for teachers and principals in the use of technology
21 so that technology and its applications are effectively
22 used in the classroom to improve teaching and learn-
23 ing in the curriculum and academic content areas in
24 which the teachers provide instruction; and



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1 “(10) as a whole, be regularly evaluated for
2 their impact on increased teacher effectiveness and
3 improved student achievement, with the findings of
4 such evaluations used to improve the quality of pro-
5 fessional development.

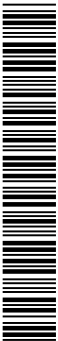
6 “(b) PROFESSIONAL DEVELOPMENT ACTIVITIES.—
7 Professional development activities under this subpart
8 may include—

9 “(1) instruction in the use of data and assess-
10 ments to inform and instruct classroom practice;

11 “(2) instruction in ways that teachers, prin-
12 cipals, pupil services personnel, and school adminis-
13 trators may work more effectively with parents;

14 “(3) the forming of partnerships with institu-
15 tions of higher education to establish school-based
16 teacher training programs that provide prospective
17 teachers and novice teachers with an opportunity to
18 work under the guidance of experienced teachers and
19 college faculty;

20 “(4) the creation of programs for paraprofes-
21 sionals (assisting teachers employed by a local edu-
22 cational agency receiving assistance under this part)
23 to obtain the education necessary for such para-
24 professionals to become licensed and certified teach-
25 ers; and



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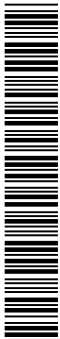
1 “(5) instruction in ways to teach special needs
2 children.

3 “(c) ACCOUNTABILITY.—

4 “(1) IN GENERAL.—A State shall notify a local
5 educational agency that the agency is on notice of
6 the possibility that the agency may be subject to the
7 requirement in paragraph (3) if, after any fiscal
8 year, the State determines that the programs or ac-
9 tivities funded by the agency fail to meet the re-
10 quirements of subsection (a).

11 “(2) TECHNICAL ASSISTANCE.—A local edu-
12 cational agency that has been put on notice pursu-
13 ant to paragraph (1) may request technical assist-
14 ance from the State in order to provide the oppor-
15 tunity for such local educational agency to comply
16 with the requirements of subsection (a).

17 “(3) REQUIREMENT TO PROVIDE TEACHER OP-
18 PORTUNITY PAYMENTS.—A local educational agency
19 that has been put on notice by the State pursuant
20 to paragraph (1) during any 2 consecutive fiscal
21 years shall expend under section 2034 for the suc-
22 ceeding fiscal year a proportion of the amount made
23 available to the agency under this subpart equal to
24 the proportion of such amount expended by the



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1 agency on professional development for the second
2 fiscal year in which it was put on notice.

3 **“SEC. 2034. TEACHER OPPORTUNITY PAYMENTS.**

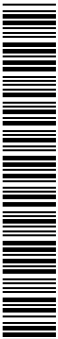
4 “(a) IN GENERAL.—A local educational agency re-
5 ceiving funds under this subpart may (or, in the case of
6 a local educational agency described in section 2033(c)(3),
7 shall) provide funds directly to a teacher or a group of
8 teachers seeking opportunities to participate in a profes-
9 sional development activity of their choice.

10 “(b) NOTICE TO TEACHERS.—Local educational
11 agencies distributing funds under this section shall estab-
12 lish and implement a timely process through which proper
13 notice of availability of funds will be given to all teachers
14 within schools identified by the agency and shall develop
15 a process whereby teachers will be specifically rec-
16 ommended by principals to participate in such program
17 by virtue of—

18 “(1) their not being fully qualified to teach in
19 the subject or subjects in which they teach; or

20 “(2) their need for additional assistance to en-
21 sure that their students make progress toward meet-
22 ing challenging State content standards and student
23 achievement standards.

24 “(c) SELECTION OF TEACHERS.—In the event ade-
25 quate funding is not available to provide payments under



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1 this section to all teachers seeking such assistance, or
2 identified as needing such assistance pursuant to sub-
3 section (b), a local educational agency shall establish pro-
4 cedures for selecting teachers which provide a priority for
5 those teachers described in paragraph (1) or (2) of sub-
6 section (b).

7 “(d) ELIGIBLE PROGRAM.—Teachers receiving a pay-
8 ment under this section shall have the choice of attending
9 any professional development program that meets the cri-
10 teria set forth in section 2033(a).

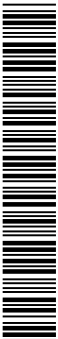
11 **“Subpart 4—Troops-to-Teachers Program**

12 **“SEC. 2041. AUTHORIZATION OF TROOPS-TO-TEACHERS**
13 **PROGRAM.**

14 “(a) PROGRAM AUTHORIZED.—The Secretary may
15 carry out a program (to be known as the ‘Troops-to-
16 Teachers Program’)—

17 “(1) to assist eligible members and former
18 members of the Armed Forces described in section
19 2042 to obtain certification or licensure as elemen-
20 tary school teachers, secondary school teachers, or
21 vocational or technical teachers; and

22 “(2) to facilitate the employment of such mem-
23 bers in elementary schools or secondary schools or as
24 vocational or technical teachers.

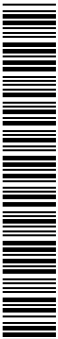


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1 “(b) ADMINISTRATION OF PROGRAM.—The Secretary
2 shall enter into a memorandum of agreement with the Sec-
3 retary of Defense under which the Secretary of Defense,
4 acting through the Defense Activity for Non-Traditional
5 Education Support of the Department of Defense, will
6 perform the actual administration of the Program, other
7 than section 2045. Using funds appropriated to the Sec-
8 retary to carry out this subpart, the Secretary shall trans-
9 fer to the Secretary of Defense such amounts as may be
10 necessary to administer the Program pursuant to the
11 memorandum of agreement.

12 “(c) INFORMATION REGARDING PROGRAM.—The
13 Secretary shall provide to the Secretary of Defense, for
14 distribution as part of preseparation counseling provided
15 under section 1142 of title 10, United States Code, to
16 members of the Armed Forces described in section 2042,
17 information regarding the Troops-to-Teachers Program
18 and applications to participate in the program.

19 “(d) PLACEMENT ASSISTANCE AND REFERRAL
20 SERVICES.—As part of the Troops-to-Teachers Program,
21 the Secretary may, with the agreement of the Secretary
22 of Defense, provide placement assistance and referral serv-
23 ices regarding employment opportunities with local edu-
24 cational agencies to members of the Armed Forces who
25 are discharged or released from active duty under other



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1 than adverse conditions. Unless the member is also se-
2 lected to participate in the Program under section 2042,
3 a member receiving placement assistance and referral
4 services under the authority of this subsection is not eligi-
5 ble for financial assistance under section 2043.

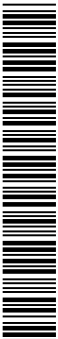
6 **“SEC. 2042. RECRUITMENT AND SELECTION OF PROGRAM**
7 **PARTICIPANTS.**

8 “(a) ELIGIBLE MEMBERS.—The following members
9 and former members of the Armed Forces are eligible for
10 selection to participate in the Troops-to-Teachers Pro-
11 gram:

12 “(1) Any member who—

13 “(A) on or after October 1, 1999, becomes
14 entitled to retired or retainer pay in the manner
15 provided in title 10 or title 14, United States
16 Code; or

17 “(B) on or after the date of the enactment
18 of the No Child Left Behind Act of 2001, has
19 an approved date of voluntary retirement and,
20 as of the date the member submits an applica-
21 tion to participate in the Program, has one year
22 or less of active duty remaining before retire-
23 ment.



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1 “(2) Any member who, on or after the date of
2 the enactment of the No Child Left Behind Act of
3 2001—

4 “(A) is separated or released from active
5 duty after six or more years of continuous ac-
6 tive duty immediately before the separation or
7 release; and

8 “(B) executes a reserve commitment agree-
9 ment for a period of three years under sub-
10 section (e)(2).

11 “(3) Any member who, on or after the date of
12 the enactment of the No Child Left Behind Act of
13 2001, is retired or separated for physical disability
14 under chapter 61 of title 10, United States Code.

15 “(4) Any member who—

16 “(A) during the period beginning on Octo-
17 ber 1, 1990, and ending on September 30,
18 1999, was involuntarily discharged or released
19 from active duty for purposes of a reduction of
20 force after six or more years of continuous ac-
21 tive duty immediately before the discharge or
22 release; or

23 “(B) applied for the teacher placement
24 program administered under section 1151 of
25 title 10, United States Code, before its repeal,



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1 and who satisfied the eligibility criteria specified
2 in subsection (c) of such section 1151.

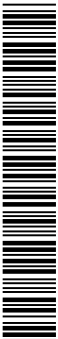
3 “(b) SUBMISSION OF APPLICATIONS.—

4 “(1) FORM AND SUBMISSION.—Selection of eli-
5 gible members and former members of the Armed
6 Forces to participate in the Troops-to-Teachers Pro-
7 gram shall be made on the basis of applications sub-
8 mitted to the Secretary within the time periods spec-
9 ified in paragraph (2). An application shall be in
10 such form and contain such information as the Sec-
11 retary may require.

12 “(2) TIME FOR SUBMISSION.—An application
13 shall be considered to be submitted on a timely basis
14 under paragraph (1) if—

15 “(A) in the case of a member or former
16 member of the Armed Forces described in para-
17 graph (1), (2), or (3) of subsection (a), the ap-
18 plication is submitted not later than four years
19 after the date on which the member is retired
20 or separated or released from active duty,
21 whichever applies to the member; or

22 “(B) in the case of a member or former
23 member described in subsection (a)(4), the ap-
24 plication is submitted not later than September
25 30, 2003.



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1 “(c) SELECTION CRITERIA.—

2 “(1) ESTABLISHMENT.—Subject to paragraphs
3 (2) and (3), the Secretary shall prescribe the criteria
4 to be used to select eligible members and former
5 members of the Armed Forces to participate in the
6 Troops-to-Teachers Program.

7 “(2) EDUCATIONAL BACKGROUND.—If a mem-
8 ber or former member of the Armed Forces de-
9 scribed in paragraph (1), (2), or (3) of subsection
10 (a) is applying for assistance for placement as an el-
11 elementary or secondary school teacher, the Secretary
12 shall require the member to have received a bacca-
13 laurate or advanced degree from an accredited in-
14 stitution of higher education. If such a member is
15 applying for assistance for placement as a vocational
16 or technical teacher, the Secretary shall require the
17 member—

18 “(A) to have received the equivalent of one
19 year of college from an accredited institution of
20 higher education and have six or more years of
21 military experience in a vocational or technical
22 field; or

23 “(B) to otherwise meet the certification or
24 licensure requirements for a vocational or tech-
25 nical teacher in the State in which the member



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1 seeks assistance for placement under the Pro-
2 gram.

3 “(3) HONORABLE SERVICE.—A member or
4 former member of the Armed Forces is eligible to
5 participate in the Troops-to-Teachers Program only
6 if the member’s last period of service in the Armed
7 Forces was characterized as honorable. If the mem-
8 ber is selected to participate in the Program before
9 the retirement of the member or the separation or
10 release of the member from active duty, the member
11 may continue to participate in the Program only if,
12 upon the retirement or separation or release from
13 active duty, the member’s last period of service is
14 characterized as honorable.

15 “(d) SELECTION PRIORITIES.—In selecting eligible
16 members and former members of the Armed Forces to re-
17 ceive assistance for placement as elementary or secondary
18 school teachers or vocational or technical teachers, the
19 Secretary shall give priority to members who have edu-
20 cational or military experience in science, mathematics,
21 special education, or vocational or technical subjects and
22 agree to seek employment as science, mathematics, or spe-
23 cial education teachers in elementary or secondary schools
24 or in other schools under the jurisdiction of a local edu-
25 cational agency.



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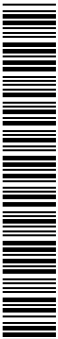
1 “(e) OTHER CONDITIONS ON SELECTION.—

2 “(1) SELECTION SUBJECT TO FUNDING.—The
3 Secretary may not select an eligible member or
4 former member of the Armed Forces to participate
5 in the Troops-to-Teachers Program under this sec-
6 tion and receive financial assistance under section
7 2043 unless the Secretary has sufficient appropria-
8 tions for the Program available at the time of the
9 selection to satisfy the obligations to be incurred by
10 the United States under section 2043 with respect
11 to the member.

12 “(2) RESERVE COMMITMENT AGREEMENT.—
13 The Secretary may not select an eligible member or
14 former member of the Armed Forces described in
15 subsection (a)(2)(A) to participate in the Troops-to-
16 Teachers Program under this section and receive fi-
17 nancial assistance under section 2043 unless—

18 “(A) the Secretary notifies the Secretary
19 concerned and the member that the Secretary
20 has reserved a full stipend or bonus under sec-
21 tion 2043 for the member; and

22 “(B) the member executes a written agree-
23 ment with the Secretary concerned to serve as
24 a member of the Selected Reserve of a reserve
25 component of the Armed Forces for a period of



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1 three years (in addition to any other reserve
2 commitment the member may have).

3 **“SEC. 2043. PARTICIPATION AGREEMENT AND FINANCIAL**
4 **ASSISTANCE.**

5 “(a) PARTICIPATION AGREEMENT.—An eligible
6 member or former member of the Armed Forces selected
7 to participate in the Troops-to-Teachers Program under
8 section 2042 and receive financial assistance under this
9 section shall be required to enter into an agreement with
10 the Secretary in which the member agrees—

11 “(1) to obtain, within such time as the Sec-
12 retary may require, certification or licensure as an
13 elementary school teacher, secondary school teacher,
14 or vocational or technical teacher; and

15 “(2) to accept an offer of full-time employment
16 as an elementary school teacher, secondary school
17 teacher, or vocational or technical teacher for not
18 less than three school years with a local educational
19 agency or public charter school, to begin the school
20 year after obtaining that certification or licensure.

21 “(b) VIOLATION OF PARTICIPATION AGREEMENT;
22 EXCEPTIONS.—A participant in the Troops-to-Teachers
23 Program shall not be considered to be in violation of the
24 participation agreement entered into under subsection (a)
25 during any period in which the participant—



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1 “(1) is pursuing a full-time course of study re-
2 lated to the field of teaching at an institution of
3 higher education;

4 “(2) is serving on active duty as a member of
5 the Armed Forces;

6 “(3) is temporarily totally disabled for a period
7 of time not to exceed three years as established by
8 sworn affidavit of a qualified physician;

9 “(4) is unable to secure employment for a pe-
10 riod not to exceed 12 months by reason of the care
11 required by a spouse who is disabled;

12 “(5) is seeking and unable to find full-time em-
13 ployment as a teacher in an elementary or secondary
14 school or as a vocational or technical teacher for a
15 single period not to exceed 27 months; or

16 “(6) satisfies the provisions of additional reim-
17 bursement exceptions that may be prescribed by the
18 Secretary.

19 “(c) STIPEND FOR PARTICIPANTS.—

20 “(1) STIPEND AUTHORIZED.—Subject to para-
21 graph (2), the Secretary may pay to a participant in
22 the Troops-to-Teachers Program selected under sec-
23 tion 2042 a stipend in an amount up to \$5,000.



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1 “(2) LIMITATION.—The total number of sti-
2 pends that may be paid under paragraph (1) in any
3 fiscal year may not exceed 3,000.

4 “(d) BONUS FOR PARTICIPANTS.—

5 “(1) BONUS AUTHORIZED.—Subject to para-
6 graph (2), the Secretary may, in lieu of paying a sti-
7 pend under subsection (c), pay a bonus of \$10,000
8 to a participant in the Troops-to-Teachers Program
9 selected under section 2042 who agrees in the par-
10 ticipation agreement under subsection (a) to accept
11 full-time employment as an elementary school teach-
12 er, secondary school teacher, or vocational or tech-
13 nical teacher for not less than three years in a high
14 need school.

15 “(2) LIMITATION.—The total number of bo-
16 nuses that may be paid under paragraph (1) in any
17 fiscal year may not exceed 1,000.

18 “(3) HIGH NEED SCHOOL DEFINED.—For pur-
19 poses of this subsection, the term ‘high need school’
20 means a public elementary school, public secondary
21 school, or public charter school that meets one or
22 more of the following criteria:

23 “(A) At least 50 percent of the students
24 enrolled in the school were children counted
25 under subsection (c) of section 1124 for pur-



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1 poses of making grants under such section to
2 local educational agencies, when such counting
3 was most recently performed.

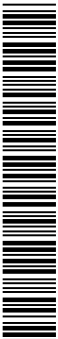
4 “(B) The school has a large percentage of
5 students who qualify for assistance under part
6 B of the Individuals with Disabilities Education
7 Act (20 U.S.C. 1411 et seq.).

8 “(C) The school meets any other criteria
9 established by the Secretary in consultation
10 with the National Assessment Governing Board.

11 “(e) TREATMENT OF STIPEND AND BONUS.—A sti-
12 pend or bonus paid under this section to a participant in
13 the Troops-to-Teachers Program shall be taken into ac-
14 count in determining the eligibility of the participant for
15 Federal student financial assistance provided under title
16 IV of the Higher Education Act of 1965 (20 U.S.C. 1070
17 et seq.).

18 “(f) REIMBURSEMENT UNDER CERTAIN CIR-
19 CUMSTANCES.—

20 “(1) REIMBURSEMENT REQUIRED.—A partici-
21 pant in the Troops-to-Teachers Program who is paid
22 a stipend or bonus under this section shall be re-
23 quired to repay the stipend or bonus under the fol-
24 lowing circumstances:



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1 “(A) The participant fails to obtain teach-
2 er certification or licensure or employment as
3 an elementary school teacher, secondary school
4 teacher, or vocational or technical teacher as re-
5 quired by the participation agreement under
6 subsection (a).

7 “(B) The participant voluntarily leaves, or
8 is terminated for cause, from employment as an
9 elementary school teacher, secondary school
10 teacher, or vocational or technical teacher dur-
11 ing the three years of required service in viola-
12 tion of the participation agreement.

13 “(C) The participant executed a written
14 agreement with the Secretary concerned under
15 section 2042(e)(2) to serve as a member of a
16 reserve component of the Armed Forces for a
17 period of three years and fails to complete the
18 required term of service.

19 “(2) AMOUNT OF REIMBURSEMENT.—A partici-
20 pant required to reimburse the Secretary for a sti-
21 pend or bonus paid to the participant under this sec-
22 tion shall pay an amount that bears the same ratio
23 to the amount of the stipend or bonus as the
24 unserved portion of required service bears to the
25 three years of required service. Any amount owed by



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1 the participant shall bear interest at the rate equal
2 to the highest rate being paid by the United States
3 on the day on which the reimbursement is deter-
4 mined to be due for securities having maturities of
5 ninety days or less and shall accrue from the day on
6 which the participant is first notified of the amount
7 due.

8 “(3) TREATMENT OF OBLIGATION.—The obliga-
9 tion to reimburse the Secretary under this sub-
10 section is, for all purposes, a debt owing the United
11 States. A discharge in bankruptcy under title 11,
12 United States Code, shall not release a participant
13 from the obligation to reimburse the Secretary.

14 “(4) EXCEPTIONS TO REIMBURSEMENT RE-
15 QUIREMENT.—A participant shall be excused from
16 reimbursement under this subsection if the partici-
17 pant becomes permanently totally disabled as estab-
18 lished by sworn affidavit of a qualified physician.
19 The Secretary may also waive reimbursement in
20 cases of extreme hardship to the participant, as de-
21 termined by the Secretary.

22 “(g) RELATIONSHIP TO EDUCATIONAL ASSISTANCE
23 UNDER MONTGOMERY GI BILL.—The receipt by a partic-
24 ipant in the Troops-to-Teachers Program of a stipend or
25 bonus under this section shall not reduce or otherwise af-



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1 fect the entitlement of the participant to any benefits
2 under chapter 30 of title 38, United States Code, or chap-
3 ter 1606 of title 10, United States Code.

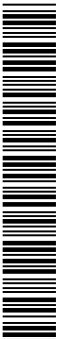
4 **“SEC. 2044. PARTICIPATION BY STATES.**

5 “(a) DISCHARGE OF STATE ACTIVITIES THROUGH
6 CONSORTIA OF STATES.—The Secretary may permit
7 States participating in the Troops-to-Teachers Program to
8 carry out activities authorized for such States under the
9 Program through one or more consortia of such States.

10 “(b) ASSISTANCE TO STATES.—

11 “(1) GRANTS AUTHORIZED.—Subject to para-
12 graph (2), the Secretary may make grants to States
13 participating in the Troops-to-Teachers Program, or
14 to consortia of such States, in order to permit such
15 States or consortia of States to operate offices for
16 purposes of recruiting eligible members and former
17 members of the Armed Forces for participation in
18 the Program and facilitating the employment of par-
19 ticipants in the Program as elementary school teach-
20 ers, secondary school teachers, and vocational or
21 technical teachers.

22 “(2) LIMITATION.—The total amount of grants
23 under paragraph (1) in any fiscal year may not ex-
24 ceed \$4,000,000.



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1 **“SEC. 2045. SUPPORT OF INNOVATIVE PRERETIREMENT**
2 **TEACHER CERTIFICATION PROGRAMS.**

3 “(a) DEVELOPMENT, IMPLEMENTATION AND DEM-
4 ONSTRATION.—The Secretary may enter into a memo-
5 randum of agreement with a State, an institution of high-
6 er education, or a consortia of States or institutions of
7 higher education, to develop, implement, and demonstrate
8 teacher certification programs for members of the Armed
9 Forces described in section 2042(a)(1)(B) for the purpose
10 of assisting such members to consider and prepare for a
11 career as an elementary school teacher, secondary school
12 teacher, or vocational or technical teacher upon their re-
13 tirement from the Armed Forces.

14 “(b) PROGRAM ELEMENTS.—A teacher certification
15 program under subsection (a) must—

16 “(1) provide recognition of military experience
17 and training as related to licensure or certification
18 requirements;

19 “(2) provide courses of instruction that may be
20 conducted on or near a military installation;

21 “(3) incorporate alternative approaches to
22 achieve teacher certification, such as innovative
23 methods to gaining field-based teaching experiences,
24 and assessment of background and experience as re-
25 lated to skills, knowledge, and abilities required of



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1 elementary school teachers, secondary school teach-
2 ers, or vocational or technical teachers;

3 “(4) provide for courses to also be delivered via
4 distance education methods; and

5 “(5) address any additional requirements or
6 specifications as established by the Secretary.

7 “(c) APPLICATION PROCEDURES.—A State or insti-
8 tution of higher education (or a consortia of States or in-
9 stitutions of higher education) that has a program leading
10 to State approved teacher certification programs may sub-
11 mit a proposal to the Secretary for consideration under
12 subsection (a). The Secretary shall give preference to pro-
13 posals that provide for a sharing of the costs to carry out
14 the teacher certification program.

15 “(d) CONTINUATION OF PROGRAMS.—The purpose of
16 this section is to provide funding to develop, implement,
17 and demonstrate teacher certification programs under
18 subsection (a). Upon successful completion of the dem-
19 onstration phase, the continued operation of the teacher
20 certification programs shall not be the responsibility of the
21 Secretary.

22 “(e) FUNDING LIMITATION.—The total amount obli-
23 gated by the Secretary under this section in any fiscal year
24 may not exceed \$5,000,000.



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1 **“SEC. 2046. REPORTING REQUIREMENTS.**

2 “(a) REPORT REQUIRED.—Not later than March 31
3 of each year, the Secretary (in consultation with the Sec-
4 retary of Defense and the Secretary of Transportation)
5 and the Comptroller General shall each submit to Con-
6 gress a report on the effectiveness of the Troops-to-Teach-
7 ers Program in the recruitment and retention of qualified
8 personnel by local educational agencies and public charter
9 schools.

10 “(b) ELEMENTS OF REPORT.—The report under sub-
11 section (a) shall include information on the following:

12 “(1) The number of participants in the Troops-
13 to-Teachers Program.

14 “(2) The schools in which the participants are
15 employed.

16 “(3) The grade levels at which the participants
17 teach.

18 “(4) The subject matters taught by the partici-
19 pants.

20 “(5) The rates of retention of the participants
21 by the local educational agencies and public charter
22 schools employing the participants.

23 “(6) Such other matters as the Secretary or the
24 Comptroller General, as the case may be, considers
25 appropriate.



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1 “(c) RECOMMENDATIONS.—The report of the Comp-
2 troller General under this section shall also include any
3 recommendations of the Comptroller General regarding
4 any means of improving the Troops-to-Teachers Program,
5 including means of enhancing the recruitment and reten-
6 tion of participants in the Program.

7 **“SEC. 2047. DEFINITIONS.**

8 “For purposes of this subpart:

9 “(1) ARMED FORCES.—The term ‘Armed
10 Forces’ means the Army, Navy, Air Force, Marine
11 Corps, and Coast Guard.

12 “(2) PROGRAM.—The term ‘Program’ means
13 the Troops-to-Teachers Program authorized by this
14 subpart.

15 “(3) RESERVE COMPONENT.—The term ‘reserve
16 component’ means—

17 “(A) the Army National Guard of the
18 United States;

19 “(B) the Army Reserve;

20 “(C) the Naval Reserve;

21 “(D) the Marine Corps Reserve;

22 “(E) the Air National Guard of the United
23 States;

24 “(F) the Air Force Reserve; and

25 “(G) the Coast Guard Reserve.



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1 “(4) SECRETARY CONCERNED.—The term ‘Sec-
2 retary concerned’ means—

3 “(A) the Secretary of the Army, with re-
4 spect to matters concerning a reserve compo-
5 nent of the Army;

6 “(B) the Secretary of the Navy, with re-
7 spect to matters concerning a reserve compo-
8 nent of the Navy;

9 “(C) the Secretary of the Air Force, with
10 respect to matters concerning a reserve compo-
11 nent of the Air Force; and

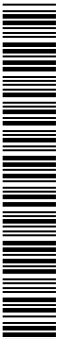
12 “(D) the Secretary of Transportation, with
13 respect to matters concerning the Coast Guard
14 Reserve.

15 **“Subpart 5—Funding**

16 **“SEC. 2051. AUTHORIZATIONS OF APPROPRIATIONS.**

17 “(a) IN GENERAL.—For the purpose of carrying out
18 this part, other than subpart 4, there are authorized to
19 be appropriated \$2,600,000,000 for fiscal year 2002 and
20 such sums as may be necessary for each of fiscal years
21 2003 through 2006.

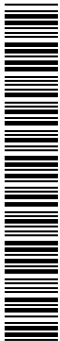
22 “(b) SUBPART 4.—For the purpose of carrying out
23 subpart 4, there are authorized to be appropriated
24 \$30,000,000 for fiscal year 2002 and such sums as may
25 be necessary for each of fiscal years 2003 through 2006.



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1 **“Subpart 6—General Provisions**2 **“SEC. 2061. DEFINITIONS.**

3 “For purposes of this part—

4 “(1) ARTS AND SCIENCES.—The term ‘arts and
5 sciences’ means—6 “(A) when referring to an organizational
7 unit of an institution of higher education, any
8 academic unit that offers one or more academic
9 majors in disciplines or content areas cor-
10 responding to the academic subject matter
11 areas in which teachers provide instruction; and12 “(B) when referring to a specific academic
13 subject matter area, the disciplines or content
14 areas in which academic majors are offered by
15 the arts and sciences organizational unit.16 “(2) BEGINNING TEACHER.—The term ‘begin-
17 ning teacher’ means an educator in a public school
18 who has not yet been teaching 3 full school years.19 “(3) MENTORING PROGRAM.—The term ‘men-
20 toring program’ means to provide professional sup-
21 port and development, instruction, and guidance to
22 beginning teachers, but does not include a teacher or
23 individual who begins to work in a supervisory posi-
24 tion.25 “(4) PUBLICLY REPORT.—The term ‘publicly
26 report’, when used with respect to the dissemination

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1 of information, means that the information is made
2 widely available to the public, including parents and
3 students, through such means as the Internet and
4 major print and broadcast media outlets.

5 **“SEC. 2062. PROVISIONS RELATED TO PRIVATE SCHOOLS.**

6 “The provisions of sections 8503 through 8506 apply
7 to programs under this part.

8 **“PART B—TEACHER LIABILITY PROTECTION**

9 **“SEC. 2101. TEACHER IMMUNITY.**

10 “(a) IMMUNITY.—Notwithstanding any other provi-
11 sion of law, no school board member of, or teacher or ad-
12 ministrator in, a local educational agency that receives
13 funds under this Act shall be liable for monetary damages
14 in his or her personal capacity for an action that was
15 taken in carrying out his or her official duties and in-
16 tended to maintain school discipline, so long as that action
17 was not prohibited under State or local law and did not
18 constitute reckless or criminal misconduct.

19 “(b) LIMITATION.—The immunity established under
20 subsection (a) shall apply only to liability arising under
21 Federal law.”.

